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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES EDWARD HELLER,

Plaintiff,

vs.

JAMES DOHERTY, ROBERT START,
MARTIN WILLIAMS, PETER KESSLER,
MICHAEL SOFIA, GARY McFARLAND,
and PRIME CARE MEDICAL,

Defendants.

No. 1:CV-01-0828
CIVIL ACTION

Judge Kane

FILED
SCRANTON

MAR 26 2002

PER 
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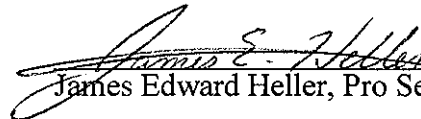
**MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R.CIV.P. 41(a)(2)**

Plaintiff, James Edward Heller, acting Pro Se, and the Defendants, James Doherty, Robert Start, Martin Williams, Peter Kessler, Michael Sofia, and Gary McFarland, through their counsel, and Defendant, Prime Care Medical, through its counsel, file the following Motion to dismiss this case with prejudice pursuant to Fed. R.Civ.P. 41(a)(2) on the basis of the following:


1. On May 10, 2001, the Plaintiff, James Edward Heller, filed a civil rights complaint pursuant to 42 U.S.C. §1983.
2. The Plaintiff's complaint is filed against employees of the Monroe County Correctional Facility in Monroe County, Pennsylvania, and Prime Care Medical, the on-site provider of medical services at the Monroe County Correctional Facility.
3. Plaintiff's complaint is based on injuries that he claims to have suffered while an inmate at the Monroe County Correctional Facility on February 28, 2001.
4. Currently before the Court are Motions to Dismiss filed by all Defendants.

5. The Court has not ruled upon the Motions to Dismiss.
6. Plaintiff desires to dismiss this lawsuit with prejudice.
7. All Defendants concur in the prayer of the Motion and join in the Motion to request that the Court dismiss this action with prejudice.


WHEREFORE, Plaintiff, James Edward Heller, and Defendants through their, Gerard J. Geiger, Esq., and Thomas J. Weber, Esq., move your Honorable Court to dismiss this action with prejudice.


James Edward Heller, Pro Se, Plaintiff

NEWMAN, WILLIAMS, MISHKIN,
CORVELEYN, WOLFE & FARERI, P.C.


Gerard J. Geiger, Esq.
Attorney I.D. No. 44099
Attorney for Defendants, James Doherty, Robert Start, Martin Williams, Peter Kessler, Michael Sofia and Gary McFarland

GOLDBERG, KATZMAN & SHIPMAN, P.C.


Thomas J. Weber, Esq.
Attorney I.D. #58853
Attorney for Defendant, Prime Care Medical, Inc.